

17-21a-302. Administration and standards.

(1) (a) (i) There is established the Utah Electronic Recording Commission consisting of six members.

(ii) The commission shall adopt standards to implement this chapter.

(b) (i) The governor shall appoint:

(A) four elected county recorders with no two appointees representing the same class of county; and

(B) one person practicing in the land title industry nominated by the Utah Land Title Association.

(ii) The term for each appointee is four years, except that the term for:

(A) the first two appointed county recorders is for two years; and

(B) the first appointed person practicing in the land title industry is for two years.

(c) The five members appointed by the governor shall select one elected county commissioner to serve as the sixth member of the commission for a four year term.

(d) (i) The members of the commission shall annually elect from its members a commission chair, vice chair, and secretary.

(ii) The members of the commission shall serve as its own staff to the commission.

(e) A member of the commission may designate another person to represent the member in voting and attendance of meetings.

(f) An action of the commission requires four affirmative votes.

(2) To keep the standards and practices of county recorders in this state in harmony with the standards and practices of recording offices in other jurisdictions that enact substantially this chapter, and to keep the technology used by county recorders in this state compatible with technology used by recording offices in other jurisdictions that enact substantially this chapter, the commission, so far as is consistent with the purposes, policies, and provisions of this chapter, in adopting, amending, and repealing standards, shall consider:

(a) standards and practices of other jurisdictions;

(b) the most recent standards promulgated by national standard-setting bodies, such as the Property Records Industry Association;

(c) the views of interested persons and governmental officials and entities;

(d) the needs of counties of varying size, population, and resources; and

(e) standards requiring adequate information security protection to ensure that electronic documents are accurate, authentic, adequately preserved, and resistant to tampering.

Enacted by Chapter 89, 2014 General Session